

Executive Summary – Enforcement Matter – Case No. 45985
WM Resource Recovery & Recycling Center, Inc.
RN100922392
Docket No. 2013-0104-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

WM Resource Recovery & Recycling Center, 7505 Highway 65, Anahuac, Chambers County

Type of Operation:

Recycling center

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 28, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$10,826

Amount Deferred for Expedited Settlement: \$2,165

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$8,661

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and September 2011

Executive Summary – Enforcement Matter – Case No. 45985
WM Resource Recovery & Recycling Center, Inc.
RN100922392
Docket No. 2013-0104-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: October 1 through 11, 2012

Date(s) of NOE(s): December 10, 2012

Violation Information

1. Failed to limit the carbon monoxide ("CO") concentration to 40 parts per million dry volume ("ppmdv"), averaged over a 12-hour rolling period and corrected to 7% oxygen. Specifically, on May 28, July 4, and August 15, 2011, the CO concentration from Waste Incinerator 2 was 41.53 ppmdv, 44.47 ppmdv, and 40.48 ppmdv, respectively, averaged over a 12-hour rolling period and corrected to 7% oxygen, due to variations in waste feed characteristics [30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS §§ 60.52c(a) and 60.56c(c)(5)(i), Permit No. 24247, Special Conditions No. 7.B., Federal Operating Permit ("FOP") No. O3058, General Terms and Conditions and Special Terms and Conditions Nos. 1.A. and 6, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to submit a Permit Compliance Certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the certification period from May 4 through June 30, 2012 was due on July 30, 2012, but was not submitted until July 31, 2012 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), FOP No. O3058, General Terms and Conditions and Special Terms and Conditions No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to submit a semi-annual deviation report within 30 days after the end of the reporting period. Specifically, the semi-annual deviation report for the reporting period from May 4 through June 30, 2012 was due on July 30, 2012, but was not submitted until July 31, 2012 [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), FOP No. O3058, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

On July 31, 2012, Respondent submitted the PCC and semi-annual deviation report for the certification and reporting period from May 4 through June 30, 2012.

Executive Summary – Enforcement Matter – Case No. 45985
WM Resource Recovery & Recycling Center, Inc.
RN100922392
Docket No. 2013-0104-AIR-E

Technical Requirements:

The Order will require Respondent to:

- a. Within 30 days, implement measures and procedures designed to maintain the CO concentration below the permitted limit when variations in waste feed characteristics occur; and
- b. Within 45 days, submit written certification demonstrating compliance with Ordering Provision a.

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Kimberly Morales, Enforcement Division, Enforcement Team 5, MC R-12, (713) 422-8938; Debra Barber, Enforcement Division, MC 219, (512) 239-0412
TCEQ SEP Coordinator: N/A
Respondent: Steve Merritt, Vice President, WM Resource Recovery & Recycling Center, Inc., c/o Waste Management, Inc, 1001 Fannin St., Houston, Texas 77002
Brian Jackson, Plant Manager, WM Resource Recovery & Recycling Center, Inc., P.O. Box 460, Anahuac, Texas 77514
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	17-Dec-2012	Screening	10-Jan-2013	EPA Due	
	PCW	17-Jan-2013				

RESPONDENT/FACILITY INFORMATION

Respondent	WM Resource Recovery & Recycling Center, Inc.		
Reg. Ent. Ref. No.	RN100922392		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	45985	No. of Violations	1
Docket No.	2013-0104-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kimberly Morales
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$2,500

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 27.0% Enhancement **Subtotals 2, 3, & 7** \$675

Notes Enhancement for one NOV with same/similar violations, one NOV with dissimilar violations, and one order with denial of liability.

Culpability No 0.0% Enhancement **Subtotal 4** \$0

Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** \$0

Economic Benefit 0.0% Enhancement* **Subtotal 6** \$0

Total EB Amounts \$230
Approx. Cost of Compliance \$2,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$3,175

OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$3,175

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$3,175

DEFERRAL 20.0% Reduction **Adjustment** -\$635

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY \$2,540

Screening Date 10-Jan-2013

Docket No. 2013-0104-AIR-E

PCW

Respondent WM Resource Recovery & Recycling Center, Inc.

Policy Revision 2 (September 2002)

Case ID No. 45985

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100922392

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 27%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for one NOV with same/similar violations, one NOV with dissimilar violations, and one order with denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 27%

Screening Date 10-Jan-2013

Docket No. 2013-0104-AIR-E

PCW

Respondent WM Resource Recovery & Recycling Center, Inc.

Policy Revision 2 (September 2002)

Case ID No. 45985

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100922392

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(1), 116.115(c), and 122.143(4), 40 Code of Federal Regulations §§ 60.52c(a) and 60.56c(c)(5)(i), Permit No. 24247, Special Conditions No. 7.B., Federal Operating Permit No. O3058, General Terms and Conditions and Special Terms and Conditions Nos. 1.A. and 6, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to limit the carbon monoxide ("CO") concentration to 40 parts per million dry volume ("ppmdv"), averaged over a 12-hour rolling period and corrected to 7% oxygen. Specifically, on May 28, July 4, and August 15, 2011, the CO concentration from Waste Incinerator 2 was 41.53 ppmdv, 44.47 ppmdv, and 40.48 ppmdv, respectively, averaged over a 12-hour rolling period and corrected to 7% oxygen, due to variations in waste feed characteristics.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

	Major	Moderate	Minor
Release			
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

3

Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

One quarterly event is recommended for the quarter during which exceedances occurred.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Extraordinary

Ordinary

N/A

Notes

Before NOV NOV to EDPRP/Settlement Offer

x	(mark with x)

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$230

Violation Final Penalty Total \$3,175

This violation Final Assessed Penalty (adjusted for limits) \$3,175

Economic Benefit Worksheet

Respondent WM Resource Recovery & Recycling Center, Inc.

Case ID No. 45985

Reg. Ent. Reference No. RN100922392

Media Air

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	28-May-2011	13-Sep-2013	2.30	\$230	n/a	\$230

Notes for DELAYED costs

Estimated cost to implement measures and procedures designed to maintain the concentration of CO emissions below the permitted limit when variations in waste feed characteristics occur. The date required is the date of the first exceedance. The final date is the date that corrective actions are expected to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$230



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	17-Dec-2012
	PCW	17-Jan-2013
	Screening	10-Jan-2013
	EPA Due	

RESPONDENT/FACILITY INFORMATION

Respondent	WM Resource Recovery & Recycling Center, Inc.		
Reg. Ent. Ref. No.	RN100922392		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	45985	No. of Violations	2
Docket No.	2013-0104-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kimberly Morales
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$7,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	27.0% Enhancement	Subtotals 2, 3, & 7	\$2,025
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Notes: Enhancement for one NOV with same/similar violations, one NOV with dissimilar violations, and one order with denial of liability.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$1,874
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$0
Approx. Cost of Compliance \$500

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$7,651
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$7,651
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$7,651
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DEFERRAL	20.0% Reduction	Adjustment	-\$1,530
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$6,121
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Screening Date 10-Jan-2013

Docket No. 2013-0104-AIR-E

PCW

Respondent WM Resource Recovery & Recycling Center, Inc.

Policy Revision 3 (September 2011)

Case ID No. 45985

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100922392

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 27%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for one NOV with same/similar violations, one NOV with dissimilar violations, and one order with denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 27%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 27%

Screening Date 10-Jan-2013

Docket No. 2013-0104-AIR-E

PCW

Respondent WM Resource Recovery & Recycling Center, Inc.

Policy Revision 3 (September 2011)

Case ID No. 45985

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100922392

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 122.143(4) and 122.146(2), Federal Operating Permit ("FOP") No. 03058, General Terms and Conditions and Special Terms and Conditions No. 10, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit a Permit Compliance Certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the certification period from May 4 through June 30, 2012 was due on July 30, 2012, but was not submitted until July 31, 2012.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	X		

Percent 15.0%

Matrix Notes

The Respondent failed to meet 100% of the rule requirement.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$3,750

One single event is recommended for the late PCC.

Good Faith Efforts to Comply

25.0% Reduction

\$937

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes

The Respondent completed corrective action on July 31, 2012, prior to the December 10, 2012 NOE.

Violation Subtotal \$2,813

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$3,826

This violation Final Assessed Penalty (adjusted for limits) \$3,826

Economic Benefit Worksheet

Respondent WM Resource Recovery & Recycling Center, Inc.

Case ID No. 45985

Reg. Ent. Reference No. RN100922392

Media Air

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Jul-2012	31-Jul-2012	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to timely submit the PCC. The date required was the due date for the PCC. The final date is the date that the PCC was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$0

Screening Date 10-Jan-2013

Docket No. 2013-0104-AIR-E

PCW

Respondent WM Resource Recovery & Recycling Center, Inc.

Policy Revision 3 (September 2011)

Case ID No. 45985

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100922392

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(C), FOP No. 03058, General Terms and Conditions, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit a semi-annual deviation report within 30 days after the end of the reporting period. Specifically, the semi-annual deviation report for the reporting period from May 4 through June 30, 2012 was due on July 30, 2012, but was not submitted until July 31, 2012.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

	Release	Major	Harm	Minor
Actual				
Potential				

Percent 0.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor
		x		

Percent 15.0%

Matrix Notes

The Respondent failed to meet 100% of the rule requirement.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$3,750

One single event is recommended for the late deviation report.

Good Faith Efforts to Comply

25.0% Reduction

\$937

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes The Respondent completed corrective action on July 31, 2012, prior to the December 10, 2012 NOE.

Violation Subtotal \$2,813

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$3,826

This violation Final Assessed Penalty (adjusted for limits) \$3,826

Economic Benefit Worksheet

Respondent WM Resource Recovery & Recycling Center, Inc.
Case ID No. 45985
Reg. Ent. Reference No. RN100922392
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	30-Jul-2012	31-Jul-2012	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to timely submit the semi-annual deviation report. The date required was the due date for the deviation report. The final date is the date that the deviation report was submitted.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$0



Compliance History Report

PUBLISHED Compliance History Report for CN603402470, RN100922392, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, or Owner/Operator:	CN603402470, WM Resource Recovery & Recycling Center, Inc.	Classification: SATISFACTORY	Rating: 1.92
Regulated Entity:	RN100922392, WM RESOURCE RECOVERY & RECYCLING CENTER	Classification: SATISFACTORY	Rating: 1.92
Complexity Points:	10	Repeat Violator:	NO
CH Group:	11 - Waste Management (Excluding Landfills)		
Location:	7505 HIGHWAY 65, ANAHUAC, CHAMBERS COUNTY, TEXAS		
TCEQ Region:	REGION 12 - HOUSTON		

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0360128

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXR000063099

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 87676

AIR NEW SOURCE PERMITS PERMIT 24247

AIR NEW SOURCE PERMITS ACCOUNT NUMBER CI0118J

AIR NEW SOURCE PERMITS REGISTRATION 86989

AIR NEW SOURCE PERMITS AFS NUM 4807100077

MUNICIPAL SOLID WASTE PROCESSING PERMIT 2239A

MUNICIPAL SOLID WASTE PROCESSING PERMIT 40254

AIR OPERATING PERMITS PERMIT 3058

AIR OPERATING PERMITS ACCOUNT NUMBER CI0118J

MEDICAL WASTE REGISTRATION 50114

AIR EMISSIONS INVENTORY ACCOUNT NUMBER CI0118J

POLLUTION PREVENTION PLANNING ID NUMBER P07387

PETROLEUM STORAGE TANK REGISTRATION REGISTRATION
78150

Compliance History Period: September 01, 2007 to August 31, 2012 **Rating Year:** 2012 **Rating Date:** 09/01/2012

Date Compliance History Report Prepared: December 19, 2012

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: December 19, 2007 to December 19, 2012

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Kimberly Morales

Phone: (713) 422-8938

Site and Owner/Operator History:

- | | |
|--|-----|
| 1) Has the site been in existence and/or operation for the full five year compliance period? | YES |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO |
| 3) If YES for #2, who is the current owner/operator? | N/A |
| 4) If YES for #2, who was/were the prior owner(s)/operator(s)? | N/A |
| 5) If YES, when did the change(s) in owner or operator occur? | N/A |

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 12/15/2012 ADMINORDER 2012-0462-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP 03058, STC 3A(iv)3 OP

Description: Failed to maintain records of visible emissions observations of the ash building, lime silo, carbon silo, and the facility operations building from April 2009 through December 2010, as documented during an investigation conducted from October 11, 2011 through December 12, 2011.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.121(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. 03058, STC Nos. 1A and 6 OP
Special Condition (SC) 6 PERMIT

Description: Failed to maintain an opacity limit of 5% averaged over a six-minute period, as documented during an investigation conducted from October 11, 2011 through December 12, 2011. Specifically, opacity exceeded 5% averaged over a six-minute period for Emissions Point No. 2 on March 17, 2010 and April 21, 2011.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: ST&C 9 OP

Description: Failed to submit semiannual deviation reports and a permit compliance certification within 30 days after the end of the reporting period, as documented during an investigation conducted from October 11, 2011 - December 12, 2011. Specifically, the semiannual deviation reports for the periods of May 4, 2009 - November 3, 2009, November 4, 2009 - May 3, 2010, and May 4, 2010 - November 3, 2010 and the PCC for the certification period of May 4, 2009 - May 3, 2010 were not submitted until May 6, 2011.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ec 60.58c(b)(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ec 60.58c(b)(5)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP No. 03058, STC Nos. 1A, 6, and 8 OP
Permit 24247 SC Nos. 21B, 22, and 24A PERMIT

Description: Failed to accurately document all required information in annual and semiannual performance reports for 2009, as documented during an investigation conducted from October 11, 2011 through December 12, 2011. Specifically, the reports did not include the analysis of the air pollution control system ("APCS") bypass malfunction that occurred on August 18, 2009.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms & Conditions OP

Description: Failed to report all instances of deviations, as documented during an investigation conducted from October 11, 2011 through December 12, 2011. Specifically, the semiannual deviation reports for the periods of May 4, 2009 through November 3, 2009, November 4, 2009 through May 3, 2010, and November 4, 2010 through May 3, 2011 did not include the following deviations: the chamber temperature falling below 1800 degrees Fahrenheit on July 26 through 28, 2009 and September 11, 2009; the APCS bypass

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC 15 F PERMIT
ST&C 6 and 8 OP

Description: Failed to submit a copy of the final sampling report to the TCEQ Air Permits Division and Houston Regional Office within 60 days after testing, as documented during an investigation conducted from October 11, 2011 through December 12, 2011. Specifically, the 2010 stack test report for Unit No. 2 was provided to the TCEQ Air Permits Division and was due to the TCEQ Houston Regional Office on January 18, 2011 but was not submitted until November 17, 2011.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	July 08, 2008	(684581)
Item 2	January 17, 2009	(708379)
Item 3	January 04, 2011	(886029)

Item 4	September 09, 2011	(944807)
Item 5	December 16, 2011	(969127)
Item 6	January 19, 2012	(971047)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	02/09/2012	(952224)	CN603402470
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.145(1) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ec 60.58c(e) 5C THSC Chapter 382 382.085(b) SC 25 PERMIT ST&C 1A and 8 OP		
	Description:	Failure to submit the semiannual performance reports within the required time frame. (Category C7)		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ec 60.52c(a) 5C THSC Chapter 382 382.085(b) SC 7B PERMIT ST&C 1A, 6, and 8 PERMIT		
	Description:	Failure to maintain the CO limit of 12 hr rolling periods and 4 hr block averages. (Category B19g1)		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT AAAA 60.1215 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ec 60.56c(d)(2) 5C THSC Chapter 382 382.085(b) ST&C 1A OP		
	Description:	Failure to maintain the temperature for INCIN-2. (Category B19g 1)		
	Self Report?	NO		Classification: Major
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ec 60.52c(a) 5C THSC Chapter 382 382.085(b) SC 1 and 7 PERMIT ST&C 1; 6; and 8 OP		
	Description:	Failure to maintain the limit for the CO, NOx, and SO2 1 hour block limit for the INCIN-2. (Category Bg19 1)		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 122, SubChapter C 122.217(a)(2) 5C THSC Chapter 382 382.085(b) General Term & Condition OP		
	Description:	Failure to submit request for permit revisions in a timely manner. (Category C7)		
2	Date:	12/10/2012	(1029190)	CN603402470
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to prevent exceedance of the applicable maximum operating parameters on INCIN-2. (Category B18).		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ec 60.53c(f) 5C THSC Chapter 382 382.085(b) ST&C 1A OP		
	Description:	Failure to conduct annual operator refresher training. (Category C7).		

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

Published Compliance History Report for CN603402470, RN100922392, Rating Year 2012 which includes Compliance History (CH) components from December 19, 2007, through December 19, 2012.

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
WM RESOURCE RECOVERY &
RECYCLING CENTER, INC.
RN100922392**

§ **BEFORE THE**
§
§ **TEXAS COMMISSION ON**
§
§
§ **ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2013-0104-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding WM Resource Recovery & Recycling Center, Inc. ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a recycling center at 7505 Highway 65 in Anahuac, Chambers County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about December 15, 2012.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Eight Hundred Twenty-Six Dollars (\$10,826) is assessed by the Commission in settlement of the violations alleged

in Section II ("Allegations"). The Respondent has paid Eight Thousand Six Hundred Sixty-One Dollars (\$8,661) of the administrative penalty and Two Thousand One Hundred Sixty-Five Dollars (\$2,165) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that on July 31, 2012, the Respondent submitted the Permit Compliance Certification ("PCC") and semi-annual deviation report for the certification and reporting period from May 4 through June 30, 2012.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to limit the carbon monoxide ("CO") concentration to 40 parts per million dry volume ("ppmdv"), averaged over a 12-hour rolling period and corrected to 7% oxygen, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS §§ 60.52c(a) and 60.56c(c)(5)(i), Permit No. 24247, Special Conditions No. 7.B., Federal Operating Permit ("FOP") No. O3058, General Terms and Conditions and Special Terms and Conditions Nos. 1.A. and 6, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted from October 1 through 11, 2012. Specifically, on May 28, July 4, and August 15, 2011, the CO concentration from Waste Incinerator 2 was 41.53 ppmdv, 44.47 ppmdv, and 40.48 ppmdv, respectively, averaged over a 12-hour rolling period and corrected to 7% oxygen, due to variations in waste feed characteristics.

2. Failed to submit a PCC within 30 days after the end of the certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), FOP No. 03058, General Terms and Conditions and Special Terms and Conditions No. 10, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted from October 1 through 11, 2012. Specifically, the PCC for the certification period from May 4 through June 30, 2012 was due on July 30, 2012, but was not submitted until July 31, 2012.
3. Failed to submit a semi-annual deviation report within 30 days after the end of the reporting period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(C), FOP No. 03058, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted from October 1 through 11, 2012. Specifically, the semi-annual deviation report for the reporting period from May 4 through June 30, 2012 was due on July 30, 2012, but was not submitted until July 31, 2012.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: WM Resource Recovery & Recycling Center, Inc., Docket No. 2013-0104-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement measures and procedures designed to maintain the CO concentration below the permitted limit when variations in waste feed characteristics occur; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance

with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1)

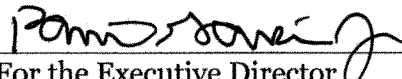
enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

7/19/13

Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

April 23, 2013

Date

Steve Merritt

Name (Printed or typed)
Authorized Representative of
WM Resource Recovery & Recycling Center, Inc.

Vice President

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.